

REMARKS

The Office Action of January 12, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1 and 29 have been amended to clarify portions of the claims. No new matter is added by these amendments.

Specifically, these claims were amended to clarify that the database not only stores registered customer IDs and respective merchandise distribution routes through which each of plural sorts of merchandise ordered by each of the customers is delivered to the customer; but also the distributors and suppliers. The respective customer IDs and product numbers are linked according to predetermined settings. In addition, the route specifying means automatically identifies respective merchandise distribution routes, upon receipt of orders from customers, based on the customer and the product.

Claims 1-12, 17, 22-27, 29-30, and 32-33 stand rejected as unpatentable over Sharp (U.S. Patent No. 6,263,317) in view of Walker (U.S. Patent No. 6,249,772).

In accordance with the present invention, a database is created on a customer-by-customer basis. Thus, it is possible to conduct transactions to *individually suit* each customer's intentions or needs. The system can automatically allocate distributors and suppliers to each customer and desired product without the assistance of the customers. In addition, even when the same product offered by a plurality of suppliers is ordered from several customers at the same time, the system allows selection of an appropriate supplier for *each* customer.

In contrast, Sharp does not teach or suggest that merchandise distribution routes can be selected depending on customer's needs or intentions. Rather, Sharp describes that distribution channel protocols to allocate orders from customers to retailers are defined by the manufacturers. This system does not allow allocation of different retailers to each customer. Therefore, Sharp does not disclose a database of merchandise distribution routes which are registered according to predetermined settings between each customer and supplier, i.e., a database that provides a link

between distributor/supplier and each customer and the merchandise. Thus Sharp does not teach or suggest the instant claims.

Walker discloses a process for determining a retailer selling a product comprising the following steps (Fig. 8A):

Step 8-6: System queries the POS controller database to determine the retail stores in the customer's locality;

Step 8-7: The system queries the merchandise database to determine the inventory available to the customer from the retail stores in the customer's locality and displays the inventory data to customer;

Step 8-8: Customer browses the inventory data and chooses the desired merchandise and agrees to price set by the manufacturer;

Step 8-10: Customer chooses local store from which to pick-up selected merchandise; and

Step 8-16 Customer goes to the selected store to pick-up merchandise.

Thus, the customer himself (manually) chooses a retail store every time he purchases merchandise. It is clear therefore that the system disclosed by Walker also does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Walker does not remedy the defects of Sharp. Withdrawal of this rejection is requested.

The remaining claims stand rejected over combinations of Sharp, Walker, and Haymann, Loghmani, DiAngelo, Ortega, Andrews, or Martin that allegedly describes features of the dependent claims. Sharp and Walker do not teach or suggest the instant claims for the reasons identified above.

Haymann is directed to a method of validating credit cards and is unrelated to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus Haymann does not remedy the defects of Sharp and Walker.

Loghmani is directed to a voice-optimized database system relating to shopping for items on the internet. Loghmani is not related to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus Loghmani does not remedy the defects of Sharp and Walker.

DiAngelo is directed to a universal shopping cart for on-line transaction processing. DiAngelo is not related to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus DiAngelo does not remedy the defects of Sharp and Walker.

Ortega is directed to a system that identifies popular nodes within a browse tree based on historical actions of online users. Ortega is not related to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus Ortega does not remedy the defects of Sharp and Walker.

Andrews is directed to a method of interactive, automated registration, negotiation and marketing for combining products and services from one or more vendors together to be sold as a unit. Andrews is not related to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus Andrews does not remedy the defects of Sharp and Walker.

Martin is directed to a computer system to set and report product delivery dates based on the customers desired delivery date. The customers preferences are kept in a computer, e.g. the supplier. Martin is not directed to merchandise distribution or business transaction routes and does not maintain a database storing merchandise distribution routes which links a specific distributor and supplier to each customer and the merchandise. Thus, Martin does not remedy the defects of Sharp and Walker.

Withdrawal of the instant rejections is requested.

CONCLUSION

In view of the above amendments and remarks, withdrawal of the rejections and issuance of a Notice of Allowance is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan A. Wolffe", with a stylized flourish at the end.

Susan A. Wolffe
Reg. No. 33,568

Date: April 11, 2005

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D. C. 20001-4597
(202) 824-3000